

STATE OF ALABAMA)
COUNTY OF SHELBY)

PARTIAL RELEASE

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of TEN (\$10.00) DOLLARS, and other good and valuable consideration, cash in hand paid to the undersigned, **REGIONS BANK, an Alabama banking corporation**, by **SILVER CREEK DEVELOPMENT, LLC**, the receipt of which is hereby acknowledged, the undersigned does hereby release the following described property lying and being in Shelby County, Alabama, to-wit:

Lots 351 through 359 and Lots 420 through 441, according to the map of Silver Creek Sector III Phase II, as the same is recorded in Map Book 36, at Page 104 in the Probate Office of Shelby County, Alabama.

from the lien and operation of the following instruments appearing of record in the Office of the Judge of Probate of Shelby County, Alabama, to-wit:

1. Mortgage from Silver Creek Development, LLC to Regions Bank in the amount of \$1,800,000.00 dated 5/5/99 and recorded 5/27/99 in Instrument No. 1999-22369, as amended by First Amendment to increase to \$2,185,000.00 dated 6/20/00 and recorded 8/10/00 in Instrument No. 2000-27190, further modified by second modification to decrease to \$1,856,699.87 dated 11/7/03 and recorded 11/26/03 in Instrument No. 20031126000774520, by Third modification to increase to \$2,446,651.29 dated 12/13/04 and recorded 12/23/04 in Instrument No. 20041223000699370, and by Fourth Modification to increase to \$2,476,494.49 recorded as Instrument No. 20060420000186110.

2. Mortgage from Silver Creek Development, LLC to Regions Bank in the amount of \$905,000.00 dated 7/3/2001 and recorded 7/18/2001 in Instrument No. 2001-29806 in the Office of the Judge of Probate of Shelby County, Alabama.

By execution hereof, the undersigned hereby authorizes the partial release of the above described property from the UCC Financing Statement recorded in Instrument No. 1999-22370, as amended by instrument recorded 10/30/03 in Instrument No. 200310300000723040 and continued in Instrument No. 20040326000157450, in the Office of the Judge of Probate of Shelby County, Alabama.

AND FOR THE SAME CONSIDERATION, the undersigned does hereby remise, release, quitclaim and convey unto **SILVER CREEK DEVELOPMENT, LLC**, all of its right, title and interest in and to the lot or parcel of land hereinabove particularly described.

IT IS UNDERSTOOD AND AGREED that as to the property remaining subject to said mortgage, said mortgage shall remain in full force and effect, and that as to such property, the execution of this release shall in no wise impair or affect the lien and security of said mortgage.

IN WITNESS WHEREOF, **REGIONS BANK**, has caused these presents to be executed by David C Agee, its Vice President, on this the 30th day of May, 2007.

REGIONS BANK

By David C. Agee
Its Vice President

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that David C Agee, whose name as Vice President of **REGIONS BANK**, an Alabama banking corporation, is signed to the foregoing release, and who is known to me, acknowledged before me on this day that being informed of the contents of the release, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said banking corporation.

Given under my hand and seal this the 30th day of May, 2007.

Denise G. Gossin
Notary Public
My Commission Expires: COMMISSION EXPIRES APRIL 4, 2008